

IN THE UNITED STATES DISTRICT COURT OF WILMINGTON DELAWARE

MR. JEFFREY ALONZO SIMMS
(PLAINTIFF)

VS
(DEFENDANTS)

ATTORNEYS FOR THE DEFENDANTS :

AND CO- COUNSEL

ATTORNEY GENERAL MR. CARL DAN BURGE
OF THE STATE OF DELAWARE:

MR. HARRY M. FREEMAN M.D. SURGERY ORTHOPEDIC
SEAFORD DELAWARE: AND CIVIL ACTION CASE;

CO- EXIST MS. DONNA BURS DEPARTMENT OF CORRECTIONS
STATE OF DELAWARE.

AND ASSOCIATE AND FORMER STATE POLICE OF DELAWARE
COMMANDER AND CHIEF COL. L. AARON CHAFFINCH
AND LT. COL. THOMAS F. MACLEISH AND
MAJOR P. L. HUGHES OF THE DELAWARE STATE POLICE

CIVIL ACTION CASE:
04- 1205- SLR

DATED APRIL 11-2006

FILED

APR 13 2006

U.S. DISTRICT COURT
DISTRICT OF DELAWARE

§ 968, 1165, 1166.

FAIRNESS HEARING

IN THE ACCORDANCE WITH DUE PROCESS AND JUDICIAL AND
CONSTITUTIONAL LAW OF THE UNITED STATES IN THE ABOVE CAPTION CASE
CIVIL ACTION:

PLEASE BE ADVISED TO THE HONORABLE JUDGE SUE L. ROBINSON;
AND CLERK OF THE COURT MR. PETER T. DALLEO,

MAY IT PLEASE THE COURT THE PLAINTIFF REQUEST A FAIRNESS HEARING
AT THE FOLLOWING LOCATION TO BE HELD BEFORE THE HONORABLE SUE L. ROBINSON
IN MAIN COURT ROOM AT THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
WILMINGTON DELAWARE LOCK BOX 18 844 KING STREET ON APRIL 25, 2006, 10:00am.
(THE "FAIRNESS HEARING"), TO DETERMINE WHETHER THE PROPOSED SETTLEMENT IS FAIR,
ADEQUACY OR ADEQUATE AND REASONABLE AND SHOULD BE APPROVE; AND WHETHER
AN AWARD OF COUNSEL FEES, COST, AND CLAIM UPGRADED JURISDICTIONAL AMOUNT IN
EQUITY, AND RECOVERY OF MORE THAN 75,000, THE PLAINTIFF INITIALLY SEEKS THE
ULTIMATELY RECOVERS THE CLAIMANT HAVE PROVE AMOUNT BY PREFONDERANCE OF EVIDENCE
EVIDENCE INTERVENING THE PLAINTIFF BEARS BURDEN OF ESTABLE ESTABLISHING
SUBJECT MATTER JURISDICTION THE PLAINTIFF IS ACTUALLY ENTITLED TO SUCH A-
MOUNT AND OF RELIEF ON THE MERITS WOULD BE GRANTED WITH FEDERAL JURISDICTION
JURISDICTION IN GOOD FAITH CLAIM.

PETITIONER, MOVANT

MR. JEFFREY ALONZO SIMMS s.b.i. # 198625
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD -
SMYRNA DELAWARE 19977

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF WILMINGTON DELAWARE

CIVIL ACTION NO.04-1205-
slr
DATED APRIL 11-2006

CERTIFICATE OF SERVICE

I, MR. JEFFREY ALONZO SIMMS, HEREBY SENT TRUE COPIES THEREOF
(ON APRIL 11-2006 FIRST CLASS MAIL)

THE UNITED STATES POSTAL SERVICE AND CONTACTED ALL PARTIES
THREW THE UNITED STATES POSTAL SERVICE IN THE ABOVE CIVIL ACTION CASE
SINCERLEY,

YOU MAY, BUT ARE NOT REQUIRED TO ATTEND THE FAIRNESS HEARING .
DEPARTMENT OF JUSTICE

ATTORNEY GENERAL:
MR. CARL DAN BURCE
820 N. FRENCH STREET
WILMINGTON, DELAWARE 19801

SUPERIOR COURT OF SUSSEX COUNTY
HONORABLE JUDGE RICHARD STOKES
P.O. BOX 756
GEORGETOWN, DELAWARE 19947

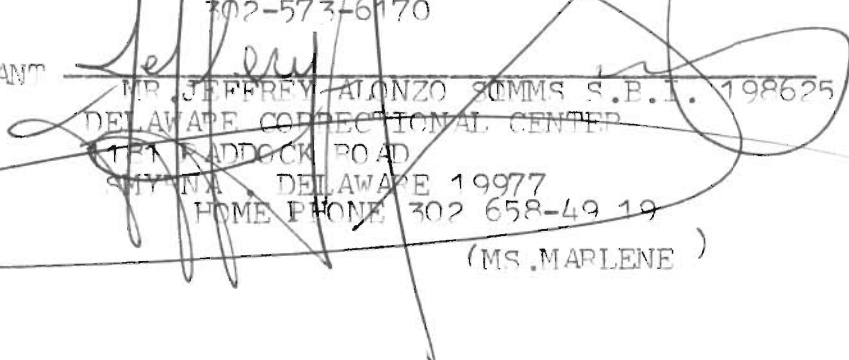
(CASE NO:0207014771)

DEPUTY ATTORNEY GENERAL
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PROTHONOTARY OFFICE OF SUSSEX COUNTY
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MR. JASON MADRON (NO. 4431)
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P.O. BOX 551
WILMINGTON, DELAWARE 19899
(302) 651-7700

UNITED STATES DISTRICT COURT
HONORABLE JUDGE SUE I. ROBINSON
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PETITIONER, MOVANT


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(MS. MARLENE)

IM JEFFREY SIMMS

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WILMINGTON DE 197

12 APR 2006 PM 11



*United States District Court
Honorable Judge Sup. Robinson
MR. Peter T. Dallas Clerk U.S. D.C.
Lock Box 18 844 King Street
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19801/3570

